

## **REMARKS**

Claims 1-4 were rejected under 35 U.S.C. 103(a) as being unpatentable over Milson et al. (6,115,062) in view of Giorgianni et al. (6,88,451). Claims 5-23 are canceled.

Reconsideration and allowance of the claims as amended is requested for the following reasons. The present invention is directed to a method for calibrating a motion picture film scanner that includes providing a calibration element composed of a multi-step neutral gray series including of a plurality of known density patches that substantially represent the full density vs. exposure range of a photographic element, wherein each density patch corresponds to a prescribed aim voltage and the exposure range is greater than 2.4 exposure units on a logarithmic scale. The calibration element is scanned with the motion picture film scanner and a signal voltage is generated for each density patch. An additional step in the method adjusts the motion picture film scanner to bring the signal voltages toward the prescribed aim voltages, thereby generating one or more adjustments that compensate for errors from the prescribed aim voltages and capture substantially the full dynamic range of the motion picture film.

Claim 1 was amended in response to the Examiner's Office Action of May 20, 2005 to emphasize the feature that the full dynamic range of a motion picture film is represented over a larger exposure range than that of the cited art. For the sake of brevity, the Applicant continues to press forth the arguments of the earlier response with respect to Milson et al. In sum, Milson et al. does not disclose calibrating a telecine for color correction of video images, nor is there any disclosure of calibrating a telecine to encompass the full dynamic exposure range of motion picture film.

In actuality, the Examiner acknowledges Milson's shortcomings by now citing Giorgianni '451 in combination with Milson to provide the disclosure of a larger exposure range. However, Giorgianni


'451 is not available for use as prior art, because it was under common assignment to the common assignee, Eastman Kodak Company, at the time the invention of the subject application was made.

Consequently, the Applicants continue to believe that independent claim 1 is novel, because at least one of Applicants' features is missing in the cited art of Milson et al and the cited art of Giorgianni et al. should not preclude patentability pursuant to 35 U.S.C. 103 (c), because the subject matter therein was owned by the same person, Eastman Kodak Company. The remainder of the claims are dependent from claim 1 and are considered to be patentable for at least the same reasons. Applicants, therefore, respectfully request that the Examiner reconsider and withdraw the rejection of the claims under 35 U.S.C. 103(a). Applicants have reviewed the cited art made of record and believe that singly or in any suitable combination, they do not render Applicants' claimed invention unpatentable. It is believed that the claims in the application are allowable over the cited art and such allowance is respectfully requested.

Should the Examiner consider that additional amendments are necessary to place the application in condition for allowance, the favor is requested of a telephone call to the undersigned counsel for the purpose of discussing such amendments.

The Commissioner is hereby authorized to charge any fees in connection with this communication to Eastman Kodak Company Deposit Account No. 05-0225

Respectfully submitted,



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If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.